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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/803,233	03/17/2004	Nicole M. Beaulieu	IGT1P083/P-742	5639

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EXAMINER	
SHAH, MILAP	

ART UNIT	PAPER NUMBER
3714	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/803,233	BEAULIEU ET AL.	
	Examiner	Art Unit	
	Milap Shah	3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 March 2004*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-60* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-60* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *17 March 2004* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *6/25/04, 9/23/05, & 3/27/07*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Priority

The Examiner acknowledges the claim for domestic priority to Application No. 09/927,901. The Examiner acknowledges that the instant application is filed as a continuation-in-part; thus, the specification of the parent application must properly support the instant claims for priority to be applicable. The Examiner submits that, as best interpreted by the Examiner, the parent application fails to explicitly disclose the claimed subject matter. While the parent disclosure provides for a general basis to the claimed invention, the parent disclosure lacks in enablement to the claimed limitations. For example, the claimed "user interface to provide user input to facilitate manipulation of the one or more aspects of the 3-D gaming environment by the user" does not appear to be fully disclosed in the parent disclosure an equivalent manner to the enabled disclosure of the instant application (for at least claims 1-19 & 32-50). That is, the parent discloses the manipulation as a mere exchanging of windows; however, the instant application goes further in depth and discloses various manipulation techniques, such as those of claim 2. Additionally, the parent disclosure fails to disclose any discussion about facilitating navigation within the 3-D environment (for at least claims 20-31 & 51-60). Therefore, until explicitly pointed out by the Applicant to specific portions of the parent specification that provide an enabled disclosure of the instant claims, claims 1-60 of the instant application are given the effective filing date of March 17, 2004, on which day the instant application was filed. The parent specification should clearly provide a proper disclosure of the claimed limitations and provide enablement for those limitations for priority to be applicable. Although the prior art currently applied to claims predates even filing date of the parent disclosure, the Applicant is advised to provide a response to this issue. It appears at least one reference may be applicable as prior art, where the effective date of the reference falls between the filing date of the parent disclosure and the instant application.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

Claims 1-60 are rejected under 35 U.S.C. 103(a) as being unpatentable over Itkis (U.S. Patent No. 4,856,787) in view of Nakano et al. (U.S. Patent No. 5,745,109, hereafter "Nakano").

Claims 1 & 32: Itkis generally teaches a game system for playing one or more games of chance at the same time (abstract) on a gaming machine, where the gaming machine includes at least a gaming controller operable to control the games of chance (figure 2[microprocessor 10], a display (figure 2[display 9], and memory to store game data (column 3, lines 13-34, where the games of chance to be initiated by the game controller must be loaded from a computer-readable storage medium). Although the Itkis system teaches a plurality of games of chance displayed as 2-D games of chance, Itkis does not teach the gaming logic is operable to render the 2-D games saved as "3-D data" for presentation as a 3-D gaming environment that a player can manipulate. However, Nakano teaches render one or more 2-D images derived from a 3-D object into a 3-D gaming environment on a computer (figures 4A-14B). Nakano teaches this 3-D interface method for the purpose of allowing more information to be displayed on a screen at one time, whereas previous 2-D interfaces become quickly cluttered and difficult to visualize all available content (column 1, line 30 – column 2, line 16). Nakano also teaches the system as applicable to any computer related activity including gaming environments (figure 6A). Thus, one would be motivated to modify Itkis to use a 3-D interface for displaying the multiple games of chance and other selections so that a user selection may be increased without having any detrimental effect to a user's visual perception,

thus allowing more viewing content displayed at any one time. Therefore, it would have been obvious to one of ordinary skill at the time the invention was made to modify Itkis with the 3-D interface as taught by Nakano at least for the purpose of increasing valuable game display space. The combination would thus provide for the game logic to render the plurality of images to create the 3-D gaming interface. And, Itkis discloses a user interface (figure 2[keypad 8]) operable to facilitate manipulation of the interface which within the combination would obviously be used to manipulate one or more aspects of the 3-D interface at least similarly to how the interface was used to manipulated one more aspects of the 2-D interface (i.e. buttons used to spinning reels or deal cards).

Claims 2 & 33: One game of chance disclosed by Itkis is a slot game (see at least claim 1), where in a slot game, at least reels rotate, thus Itkis discloses at least the movement of an object.

Claims 3 & 34: Itkis discloses at least a touch screen as a possible user interface (abstract).

Claims 4-6 & 35-37: The combination of Itkis & Nakano would produce a plurality of games of chance configured in an arrangement, where walls 111, 112, & 113 (figure 4B of Nakano) are the positions where applications are run, such as games, word processing, etc. Thus, when the implementation is all games as the combination suggests, the three walls would include at least three games of chance in an arrangement, where the three games of chance are viewed at least simultaneously. Additionally, Nakano discloses the rotation of the walls, effectively rotating the cube (figures 4A-9 & column 6, lines 12-16), such that in the situation that two games of chance are being played, and the cube is rotated such that at least one of those game is out of view from the viewpoint of the virtual camera, then, at least one outcome is not being displayed simultaneously.

Claims 7-9 & 38-40: As described above, Nakano discloses rotating the walls, effectively rotating the cube, such that the viewpoint or perspective of viewing the walls having the games thereon would be changed depending on which face of the cube is centered at wall 112 (figures 4A-9 & column 6, lines 12-16). Effectively providing a plurality of different perspectives of the arrangement of games. Additionally, as seen in the drawings of Nakano, the side walls occasionally are only partially shown effectively showing "at least a portion of the arrangement of the plurality of outcomes" when at least one game of chance on a sidewall is only partially shown (figure 5, where wall 113 is partially shown, thus, within the combination, sidewall 113 would include a game of chance that would be partially shown).

Claims 10 & 41: The cube disclosed by Nakano is considered a polyhedron, where the games of chance would be arranged in a polyhedral configuration on surfaces of a polyhedron (i.e. a cube).

Claims 11 & 42: The cube of Nakano appears to be constrained at least such that the cube appears to only rotate vertically, thus, these are the degrees of freedom for manipulation, where manipulation is at least rotating of the 3-D environment.

Claims 12, 15, 43, & 46: As described above, the cube effectively rotates on a vertical access providing navigation of the 4 sidewalls (figures 4A-9). The "predetermined path" appears to be either to the left or to the right, such that predetermined is being interpreted in the sense that if a user wants to get to window 4, and they are currently at window 2 (i.e. center positions) they are bound to go through 2 or 3 depending on which rotation direction they choose.

Claims 13, 14, 16, 44, 45, & 47: Nakano discloses a single click to a sidewall 111 or 113 (figure 5) brings the sidewall to the center position, such that the rotation was only a quarter turn of the entire environment, which is considered the degree of freedom for the cube that can rotate any sidewall to the center position. Additionally, one may considerer the shape only has two degrees of

freedom being rotate left or rotate right. Using this interpretation, the combination of Itkis & Nakano still disclose the cube to be able to rotate in only one of the degrees of freedom or less then all of the degrees of freedom at any one time.

Claims 17 & 48: The combination of Itkis & Nakano would clearly use at least the Cartesian coordinate system (figures 4A-9).

Claims 18, 19, 49, & 50: The combination of Itkis & Nakano appear to disclose sound effects (column 4, lines 28-42 of Nakano), however, do not explicitly teach sound effects corresponding to the manipulation of the one or more aspects of the 3-D gaming environment. However, regardless of the deficiency, Nakano clearly has the structure to perform such a well-known task in the gaming industry. Sound effects in gaming are notoriously well known and it would have been a matter of design choice to include sound effects or not, since the application has not stated that sound effects solve any stated problem or are for any particular purpose, and it appears the gaming machine would have performed equally well without sound effects. Sound effects attract patrons to game machines and provide a feature that generally heightens the level of excitement for a player. Thus, one would be motivated to add sound effects to the combination of Itkis & Nakano for the simple reason to attract more players to the games, thereby causing increased player retention and gaming revenue, as is the main goal for any game machine in a casino environment. Therefore, it would have been obvious to one of ordinary skill at the time of the invention to modify the combination of Itkis & Nakano to include sound effects as is well-known in the art for at least the reasons stated above. Sound effects could be of any desirable type, such as sound effects based on a location change or motion within a game (i.e. the sound of a fast car passing by or a loud engine).

Claims 20 & 51: See rejection of at least claim 1, as it is incorporated herein. It has been established that the combination of Itkis & Nakano discloses at least the gaming machine including

the game controller operable to play a plurality of games of chance, memory storing data, and a display. The combination of Itkis & Nakano also discloses the game logic operable to display the images as discussed above, such each of the images depicting fewer than all of the plurality of outcomes, successive ones of the images facilitating navigation among all of the outcomes. This feature can be seen clearly from the combination of Itkis and Nakano when four games of chance are to be played on a 3-D interface as taught by Nakano, the images of the four games of chances would be depicted on the four walls making up the cube (figures 4A-9). Nakano clearly discloses that three of the four walls are depicted at any one time; thus, in the situation that all 4 walls include a game of chance, at least one game of chance would be out of view. Further, navigation disclosed by Nakano is the clicking of either sidewall rotating that sidewall to the center-back position, such that within one rotation, the fourth game of chance not initially displayed would be displayed upon rotation of the cube moving one of the sidewalls to the center position. Thus, the Examiner submits the combination of Itkis & Nakano clearly teaches the game logic operable to render the images as discussed, where fewer then all of the outcomes are displayed at one time, and successive ones are obtained view navigation amongst all of the outcomes.

Claims 21 & 52: The cube disclosed by Nakano is considered a polyhedron, where the games of chance would be arranged in a polyhedral configuration on surfaces of a polyhedron (i.e. a cube).

Claims 22-26 & 53-57: As described above, Nakano discloses rotating the walls, effectively rotating the cube, such that the viewpoint or perspective of viewing the walls having the games thereon would be changed depending on which face of the cube is centered at wall 112 (figures 4A-9 & column 6, lines 12-16). Effectively providing a plurality of different perspectives of the arrangement of games. These views are constrained to the rotation of the cube along a vertical axis. Thus, the plurality of games are considered to be within a virtual planar array (i.e. a game depicted

on each plane of the cube), where the game logic is operable to constrain the plurality of perspectives to a portion of the 3-D gaming environment above the array (i.e. as seen in the figures 4A-9, the viewpoint the virtual camera "sees" the 3-D interface). Regarding claims 25 & 26, the Applicant discloses the constraining to a virtual planar (claim 24), a cylindrical surface (claim 25), and pay lines of virtual reels (claim 26) as equivalent, thus, showing one, the rest are considered obvious variants of various embodiments of the same invention requiring only a design consideration.

Claims 27, 28, 58, & 59: As described earlier, the cube appears to be rotatable along a vertical axis; thus, it would be restricted to be moved along a horizontal axis and that particular degree of freedom. The cube, however, does move at least one the left/right degree of freedom.

Claims 29 & 60: The combination of Itkis & Nakano would clearly use at least the Cartesian coordinate system (figures 4A-9).

Claims 30 & 31: The combination of Itkis & Nakano disclose at least a user interface to facilitate navigation such as keypad 8 of the gaming machine disclosed by Itkis or mouse 22 of the general purpose computer usable for gaming as disclosed by Nakano. Itkis also discloses a touch screen as a possible interface (abstract), which when modified by Nakano would be useful in performing the mouse-clicking tasks to operate the 3-D environment.

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Notice of References Cited (PTO-892) for six references that are related to at least 3-D gaming or 3-D gaming environments.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Milap Shah whose telephone number is (571) 272-1723. The examiner can normally be reached on M-F: 9:30AM-6:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert Pezzuto can be reached on (571) 272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Robert Pezzuto
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Art Unit 3714

M.B.S.